

Minutes of the Property Committee Meeting

The Property Committee of the McLean County Board met on Thursday, May 1, 2003 at 3:00 p.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Bostic, Members Selzer, Dean, Ahart, Moss and Owens

Members Absent: None

Staff Present: Mr. John M. Zeunik, County Administrator;
Ms. Lucretia Wherry, County Administrator's Office

Department Heads/
Elected Officials

Present: Mr. Bill Wasson, Director, Parks and Recreation Department;
Mr. Jack Moody, Director, Facilities Management
Department

Others Present: Mr. Greg Koos, Executive Director, McLean County Museum
of History; Mr. Jeff Koerber, AIA, Wiss, Janney, Elstner
Associates, Inc.; Mr. Roger Rheeling, United Way Board

Chairman Bostic called the meeting to order at 3:03 p.m. Chairman Bostic called the roll and declared that a quorum was present.

Chairman Bostic presented the minutes of the April 3, 2003 meeting. Hearing no objections or amendments, Chairman Bostic accepted and placed the minutes on file as submitted.

Mr. Jack Moody, Director, Facilities Management, presented a request for approval of a Wiss, Janney, Elstner, Associates, Inc. (WJE) contract for Professional Services to develop Bid Specifications to repair the dome and roof areas of the Old Courthouse. Wiss, Janney, Elstner, Associates, Inc. presented a list of repairs, which need to be completed on the Old Courthouse in their August 28, 2003 report. The repairs include the stone work, lose steps, balustrade, roof and dome. However, the Illinois Department of Natural Resources (IDNR) grant awarded to McLean County on December 10, 2002 specifics that the grant money is to be used towards the repairs on the roof and dome. Stipulations of the grant permit professional architectural fees to be reimbursed as part of the grant. The fee for Wiss, Janney, Elstner, Associates, Inc. is \$93,500.00. The remaining grant amount is \$406,500.00.

Mr. Eric Ruud, First Assistant State's Attorney, has reviewed the enclosed contract and attachments and concurs that these documents are consistent in scope for the work being proposed by WJE. Mr. Greg Koos, Executive Director, McLean County Museum

of History, endorses WJE being awarded the contract to perform this professional architectural service. The estimated time to complete the bid specifications is 10 weeks. Mr. Jeff Koerber, AIA, Project Manager, Wiss, Janney, Elstner, Associates, Inc., is available for questions.

Mr. Owens asked how many hours the proposed contract is for. Mr. Kerber replied that the contract allows for the 6 months construction time, design time and structural analysis.

Mr. Owens asked if the 15% contingency for design and construction is enough. Mr. Kerber replied that 15% is a conservative estimate. The design time is 10 weeks. Alternate items will be completed if there is enough time left.

Mr. Selzer asked when the Committee would review the Fiscal Year 2004 budget. Mr. John Zeunik, County Administrator, replied that the budget review process would begin in October, 2003. Mr. Koerber stated that by October, WJE would know which alternates would be recommended for repairs. Mr. Selzer stated that the Committee would have a better idea of available funds after the budget process.

Mr. Owens asked if the PBC needs to approve the contract. Mr. Zeunik replied that the McLean County Board is the fiscal agent responsible for the IDNR grant for repairs to the Old Courthouse. The contract is the responsibility of the Property Committee and the County Board.

Motion by Selzer/Owens to recommend approval of the Wiss, Janney, Elstner, Associates, Inc. Contract for Professional Services to develop bid specifications to repair the dome and roof areas of the Old Courthouse. Motion carried.

Mr. Moody presented a request for a Capital Equipment Lease Agreement to purchase Replacement Lobby Security Screening Equipment. The current x-ray-screening machine and walk through magnetometer were purchased in 1994. The manufacturer of this equipment notified the County that they would no longer be able to get parts for the current x-ray-screening machine. In addition, the walk through magnetometer is no longer 100% reliable in screening all metal objects.

Staff is recommending that the Heimann System HI 75551 Xray Unit and the CEIA HI-PE/PTZ Multi-Zone Walk Through Metal Detector replace the old equipment on a lease-to-own basis over the next 5 years as budgeted in the Fiscal Year 2003 Recommend Budget. The x-ray machine unit can detect drugs, plastic explosives, along with metal objects, using a color-coded method of notification by the atomic number of the material screened. The multi-bar light array located on the sides of the walk-through magnetometer identifies the location of the metal object.

The purchase cost for the Heimann System HI-SCAN 75551 Xray Unit is \$52,053.00. The CEIA HI-PE/PTZ Multi-Zone Walk-Through Metal Detector cost is \$4,645.00. The lease, if approved, would be financed through Commerce Bank for 5-years at an annual payment of \$12,577.72 at a 3.5% interest rate. The Fiscal Year 2003 Adopted Budget includes an appropriation of \$16,000.00 for this purchase.

Mr. Owens asked what is the life span of the equipment. Mr. Moody replied that the current equipment has lasted 10 year. Hopefully, the proposed equipment would have as long a life span.

Ms. Ahart asked if the Government Center would need security equipment. Mr. Moody stated that because the Government Center will not house any courtrooms or court related, the level of security would not be needed.

Motion by Owens/Dean to recommend approval of a request for a Capital Equipment Lease Agreement to purchase replacement Lobby Security Screening Equipment.

Mr. Selzer asked what are the County Board's rules on receiving competitive bids. Mr. Moody replied that the County did not have to advertise for competitive bid because the State of Illinois had already received competitive bids. Mr. Zeunik explained that under County Board policies if the County uses the State Central Management Services bid award, the County can purchase equipment without competitive bids.

Ms. Ahart asked if there are State or federal mandates regarding Homeland Security. Ms. Selzer asked if the County could request that our Congressional Representatives support legislation for local reimbursement of funds used for security.

Mr. Zeunik replied that the lobby security screening was recommended after a federal study of the security needs of the law and Justice Center.

Ms. Bostic asked if there were any other questions. Hearing none, Chairman Bostic called for a vote on the previous motion.

Motion carried.

Mr. Moody presented a request received from Uniquely Bloomington to be allowed to place a Christmas Tree on the grounds of the Old Courthouse for the Holiday Season.

Motion by Selzer/Moss to recommend approval of a request received from Uniquely of Bloomington to be allowed to place a Christmas Tree on the grounds of the Old Courthouse for the Holiday Season.

Ms. Ahart stated that she has concerns regarding favoring one religion over others. Mr. Selzer stated that he thinks the County will receive great response from the placement of the tree. Ms. Ahart suggested that instead of placing a tree, the display of holiday lights be increased. Mr. Owens stated that Peoria County did not have complaints from the placement of a Christmas Tree in Peoria.

Mr. Selzer stated that McLean County has a large Christian population. If the County not to have a religious preference, then it should be across the board. Chairman Bostic stated that she does not think that the Property Committee should draw that line. Ms. Ahart stated that she doesn't think that the Property Committee should endorse the request. Mr. Selzer stated that the Historical Museum is in agreement with the Uniquely Bloomington in requesting the placement of the tree. Mr. Selzer stated that the tenant is placing the tree, not the County. Ms. Ahart pointed out that the general public would not know that the Uniquely Bloomington placed the tree. Mr. Owens stated that a Christmas display is placed inside the Old Courthouse anyway. Mr. Owens stated that he supports the placement of the Christmas tree. Mr. Selzer stated that the City of Bloomington closes the streets for a Christmas parade each year. Mr. Moss stated that other religions are not prohibited from requesting that other holiday symbols be placed at the Old Courthouse.

Mr. Owens called for the questions.

Mr. Owens, Selzer, Moss and Dean voted to approve the motion. Ms. Ahart voted against the motion. Motion carried.

Mr. Selzer asked that any other request for holiday displays come to the Committee for approval.

Mr. Moody reminded the Committee that the tour of the Highway Department starts at 1:30 p.m. on May 2, 2003. The Committee would tour Animal Control after the Highway Department. Members Ahart, Moss and Bostic stated that they would attend.

Mr. Moss asked for an update on the Lincoln Parking Deck. Mr. Zeunik stated that starting May 5, 2003 the westside stairwells would be closed. A new elevator would be excavated. Once the westside stairwells are complete, the Eastside stairwells would be closed. The deck is expected to be closed from July 1, 2003 until Labor Day.

Mr. Bill Wasson, Director, Parks and Recreation Department presented an update on the Route 66 Trail and Bikeway. An open house was held at the Normal Public Library. No negative comments were received.

Mr. Selzer asked how the Route 66 Trail and Bikeway is being funded. Mr. Wasson replied that funding for the Route 66 Trail and Bikeway would be provided through 20% local funding and 80% State grant monies, which will be applied for in the next federal Transportation Enhancement Act.

The Committee reviewed the General Report for the Parks and Recreation Department. Mr. Wasson indicated that due to weather conditions, the report is not usual prepared this early in the year. Mr. Selzer noted that the Watercraft registration has remained constant and that there is still time to see an increase. Mr. Wasson indicated that it is still possible to see an increase in non-resident registration.

Mr. Zeunik presented the future use and disposition of the McBarnes Memorial Building for discussion. Mr. Zeunik noted that lease agreements require that tenants be given a 120 day notice if the leases are not going to be renewed. There are three alternatives available.

1. The County can continue to own and maintain the McBarnes Building in its present condition. The available office space on the first and second floor is available for use by the existing tenants and the County. The third floor would remain vacant.

Under this alternative, the County maintains ownership and control of the Building. Absent a new tenant or the existing tenants expanding into the vacant space, or a significant increase in the lease cost per square foot, the Building's lease revenue will not be sufficient to fund the annual operating expenses of the Building and any needed or emergency capital expenditure.

2. The County can appropriate sufficient funding to relocate and replace the elevator and make modifications to the mechanical systems of the Building. These capital improvements would permit the County to make full use of the Building.

Under this alternative, the County can lease the entire third floor to other community-based organizations. Given the significant capital expenditure to relocate and replace the elevator and make modifications to the mechanical systems, the County may wish to negotiate a higher lease cost per square foot to try and recover the capital investment in the Building. Funding for this capital expenditure would probably come from the General Fund's unappropriated fund balance.

3. The County can declare the Building "surplus property" and offer the Building for sale. Under the terms of the original gift of the Building to the County, the

County may wish to limit the bids on the purchase of the Building to other local governments and community based organizations. Pursuant to Illinois law, the sale of the Building would need to be conducted by "sealed bid". In the Invitation to Bid, the County can stipulate a minimum bid (for example, the appraised value on the Building) to insure that the County meets its fiduciary responsibility to the taxpayers and to maintain an "arms length – willing buyer/willing seller" transaction.

In June, 1998, the County Board declared the McBarnes Building "surplus property". However, the decision was reversed at the following month's Board Meeting.

Ms. Ahart asked if declaring the McBarnes Building "surplus property" would effect the McLean County Chamber of Commerce building. Mr. Zeunik replied that McLean County owns the underlying property. In checking the deeds in the Recorder's Office, the McBarnes Building is on a separate parcels.

Mr. Selzer suggested that the Committee declare the McBarnes Building surplus property and decide at a later date how to dispose of the building. Mr. Selzer stated that if the building is sold, the deed could require that the building continue to be used for not-for-profit agencies and the costs of the restoration could be recovered in the sells price.

Chairman Bostic requested a legal opinion on whether the deed could include a restriction that the building be used be not-for-profits. If the building were to be sold by the County and then sold again by the not-for-profit to a private sector business, what actions, if any could the County take.

Mr. Moss asked what is the appraised value of the McBarnes building. Chairman Bostic replied that the appraised value five years ago was \$200,000.00.

Mr. Dean asked if the County could reject the not-for-profit bids if the bids were too low. Chairman Bostic replied that the bids could not be rejected. Mr. Selzer suggested that there be a mandatory pre-bid meeting. Mr. Dean stated that the minimum bid request could be \$200,000.00 to pay back the obligation to the taxpayers.

Mr. Roger Rheeling, United Way Board, stated that the United Way is interested in purchasing the McBarnes building. The United Way would work though the bid process or, if the property were not declared surplus, would work with the County to purchase the Building.

Mr. Selzer asked if the building could be offered to current tenants first. Mr. Zeunik replied that the Committee would need to get a legal opinion on whether this option was

possible. Mr. Owens stated that all not-for-profit agencies should be allowed to bid. Mr. Selzer stated that either way, the building has to be declared surplus property.

Mr. Rheeling asked that the Committee keep the United Way's Campaign schedule in mind when making the decision to sell the building. It would be difficult for the United Way to move during the fall.

Mr. Dean asked if the United Way would have to renovate the third floor. Mr. Rheeling stated that the United Way would have the same obligation as the County when renting the third floor.

Mr. Selzer asked if the Committee could have set criteria for the sale of the McBarnes Building. Chairman Bostic recommended that the Civil Assistant State's Attorney be present at the next Committee meeting to answer the Committee's questions.

Mr. Selzer asked the Committee if the Committee is comfortable declaring the property surplus. Ms. Ahart stated that she did not want to rush the process. She would like to hear from the State's Attorney before making a decision. Chairman Bostic stated that the Property Committee has been discussing the disposition of the McBarnes Building for the past six years. Mr. Selzer suggested that the Committee declare the property as surplus and then take time to make a decision as to the future disposition of the property. Chairman Bostic stated that by declaring the building surplus property now, the Committee will have time to hear from the Board and the State's Attorney as to how the sale should be handled.

Mr. Dean asked why the Board reversed the decision to declare the property surplus in 1998. Chairman Bostic replied that at the time the Government Center had not been purchased and the Board was afraid that the McBarnes Building would be needed for space.

Mr. Rheeling stated that the United Way and PATH would like to stay in the building. Mr. Selzer stated that the McBarnes Building could save the not-for-profits a lot of rent money by purchasing the building. Mr. Rheeling added that the United Way has looked at other rentals and the rent is too high.

Motion by Selzer/Owens to declare the McBarnes Building as "surplus" property and to revisit the disposition of the building at the June Property Committee meeting. Motion carried.

Mr. Zeunik presented the CDAP Revolving Loan in regards to replacing the dryvit exterior on the 200 West Front Street building. The CDAP Revolving Loan fund has a provision allowing for public works projects as long as the project benefits low and

moderate income families. On April 23, 2003, the Illinois Department of Commerce and Economic Opportunity authorized the use of the CDAP Revolving Loan Fund to pay for the portion of the costs to replace the dryvit exterior. The CDAP Loan to the County is in the amount of \$346,292.00 for twenty years at 3% interest. The annual debt service level is \$23,046.00. The County guarantees the repayment of the loan with the rental money from the tenants that occupy the building.

Mr. Zeunik stated that Mr. Rick Nolan, Economic and Development Council, is not aware of anyone interested in a CDAP Revolving Loan. However, there is enough money in the fund available if others are interested.

If the Finance Committee approves the loan, the contract with PJ Hoerr could be presented at a Stand-up meeting before the May County Board meeting.

Mr. Moss asked if there are outstanding CDAP Revolving Loans. Mr. Zeunik stated that there are two outstanding CDAP Revolving Loans. Victory Enterprises and the Debbie Thomas Learning Center are both current on their payments.

The Committee agreed that the County should pursue the CDAP Revolving Loan to repair the 200 West Front Street building.

Chairman Bostic presented the bills, which have been reviewed and recommended for transmittal to the Property Committee by the County Auditor.

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Motion by Owens/Moss to recommend approval of the bills as of April 30, 2003, which have been reviewed and recommended for transmittal to the Property Committee by the County Auditor. Motion carried.

There being nothing further to come before the Committee at this time, Chairman Bostic adjourned the meeting at 4:41 p.m.

Respectfully submitted,

Lucretia Wherry
Recording Secretary

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